Criminal Revision No. 13 of 2001

Hon'ble M.C.Jain,J

Heard learned counsel for the revisionist and the learned A.G.A.

The revisionist is aggrieved by an order dated 29.11.2000 passed by the Court below rejecting his application under section 5 of the Limitation Act for condonation of delay in preferring a criminal appeal. It is found that the judgment of conviction was passed as back as on 8.1.1999 and the appeal was sought to be presented with delay condonation application on 21.9.1999. Though three other convicted persons out of whom one was own father of the revisionist had preferred appeal within time, but the revisionist did not do so. No good ground was made out to condone the inordinate delay in preferring the appeal. It was only stated that a common lawyer had been engaged to file the appeal. Though he preferred appeal on behalf of other convicted persons but did not do so on behalf of the present revisionist. The ground was no at all convincing in view of the fact that one of the convicted persons was own father of the applicant. The application for condonation of delay has rightly been rejected by the lower Court. No ground for interference in the revision is made out. The revision is dismissed.

(M.C.Jain, J.)

Dt.28.3.2001

A.